

Serial No.: 09/737,455
Attorney Docket No.: AUS9-2000-0596-US1

REMARKS

In response to the Office Action dated September 9, 2004, claims 1, 7 and 12 have been amended. Claims 1-16 are in the case. The Applicants respectfully request reexamination and reconsideration of the present application.

Record is made of a telephonic phone call made by Applicants' attorney Edmond A. DeFrank to Examiner P. Yanchus III on December 2, 2004. The Office Action of September 9, 2004, the cited references and the pending claims were mentioned in general. A proposed amendment modifying the independent claims was mentioned during the phone call. Although no agreement was reached, the above amendments to the claims reflect the substance of the phone call made to the Examiner.

Per the September 9, 2004 Office Action, claims 1, 2, 4-9, 11, 12 and 14-16 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Gilbert (U.S. Patent No. 6,357,011). Also, claims 3 and 13 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Gilbert in view of Kang (U.S. Patent No. 6,253,329). The Applicants have amended the independent claims 1, 7 and 12. Applicants respectfully request consideration of the newly amended claims.

With regard to the rejections under U.S.C. 102, the Applicants respectfully submit that the Gilbert reference does not disclose, teach, or suggest all of the claimed features in independent claims 1, 7 and 12. For example, with regard to claim 1, Gilbert fails to disclose or teach "... supplying power to the bus-controlled component from an integrated power supply via a bus connection of the computer... determining whether the power supplied exceeds a threshold... and... if the threshold is exceeded... supplying power to the bus-controlled component from a non-integrated power supply of the computer. In addition, with regard to claim 7, Gilbert clearly fails to disclose or teach "... a bus slot supplying power to the bus-controlled component... and... a bus power handling device connected directly to a power supply of the computer for supplying power directly to the bus-controlled component if a bus slot power threshold is exceeded.

With regard to claim 12, Gilbert fails to disclose or teach "... an input area configured to receive a bus-controlled component and an output area configured to

Serial No.: 09/737,455
Attorney Docket No.: AUS9-2000-0596-US1

be inserted into a bus slot that supplies power to the bus-controlled component... a power sensor that determines whether the bus slot has exceeded a power threshold...and...a power supply lead coupled to an external power supply that supplies power to the bus-controlled component via the bus power handling device if the power threshold is exceeded. Instead, Gilbert merely discloses a bus-powered device as a computer peripheral that has a supplemental battery to power it to overcome power limits, which is very different from the Applicants' bus-controlled component, bus slot that supplies power to the bus-controlled component and bus power handling device.

Hence, since Gilbert does not disclose all of the elements of the Applicants' claimed invention, the reference cannot anticipate the claims. As such, the Applicants' respectfully submit that the rejections under 35 U.S.C. 102 should be withdrawn.

With regard to the rejection under U.S.C. 103(a), in light of the amendments to the claims, the Applicants submit that the Gilbert reference in combination with the Kang reference still does not disclose, teach, or suggest all of the claimed features of independent claims 1, 7 and 12. Specifically, when Kang is combined with Gilbert, the combination is still missing elements of the Applicants' claimed invention, as argued above. Therefore, the combined references cannot render the Applicants' invention obvious. This failure of the cited references to disclose, suggest or provide motivation for the Applicant's claimed invention indicates a lack of a *prima facie* case of obviousness (MPEP 2143).

With regard to the rejection of the dependent claims, because they depend from the above-argued respective independent claims, and they contain additional limitations that are patentably distinguishable over the cited references, these claims are also considered to be patentable (MPEP § 2143.03).

In view of the arguments and amendments set forth above, the Applicant respectfully submits that the claims of the subject application are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the outstanding claim rejections and to pass this application to issue. Additionally, in an

Serial No.: 09/737,455
Attorney Docket No.: AUS9-2000-0396-US1

effort to expedite and further the prosecution of the subject application, the Applicant kindly invites the Examiner to telephone the Applicant's attorney at (818) 885-1575 if the Examiner has any questions or concerns.

Respectfully submitted,
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Edmond A. DeFrank
Reg. No. 37,814
Attorney for Applicants
(818) 885-1575 TEL
(818) 885-5750 FAX